



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Vernal Field Office

170 South 500 East

Vernal, Utah 84078

<http://www.blm.gov/Vernal>



IN REPLY REFER TO:

3809

UT08300

UTU66378

FEB 17 2005

RECEIVED

FEB 18 2005

DIV. OF OIL, GAS & MINING

Certified Mail

Return Receipt Requested

No. 7004 2510 0005 2360 1174

DECISION

Operator:
Alan Chew
P.O. Box 286
Jensen, Utah 84035

Notice
Operation
UTU66378

Notice Extended

A written notification of your intent to extend the above cited 3809 notice pursuant to 43 CFR 3809.333 was filed with the Vernal Field Office on January 18, 2005. You filed a financial guarantee with the Utah State Office – BLM which was accepted on July 8, 2004. Your notice is extended for another two years. It will expire on January 20, 2007 unless a written notification for another two year extension is received on or before January 19, 2007.

The financial guarantee on file with the Utah State Office is currently adequate. It is a partial financial guarantee. You may be directed to increase the amount of the financial guarantee if there is an increase in the area of disturbance (within your delineated 5 acre project area) or the value of the financial guarantee is judge to be inadequate due to inflation or other factors.

This notice extended decision in no way should be interpreted as an indication of the validity of the mining claim(s) upon which notice UTU66378 is located.

If you do not agree and are adversely affected by this decision, in accordance with 43 CFR 3809.804, you may request that the Utah BLM State Director review this decision. If you request a State Director review, the request must be received in the Utah BLM State Office, P.O. Box 45155, Salt Lake City, Utah 84145-0155, no later than 30 calendar days after you receive this decision. A copy of the request must also be sent to this office. The request must be in accordance with the provisions provided in 43 CFR 3809.805. If a State Director review is requested, this decision will remain in effect while the State Director review is pending, unless a stay is granted by the State Director. Standards for obtaining a stay are given below. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision your request for review of this decision within 21 days of BLM's receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the Utah BLM State Office to determine when BLM receives the request for State Director Review. You have 30 days from the end of the 21 day period in which to file your notice of appeal with the IBLA (see procedures below).

If you wish to bypass a State Director review, this decision may be appealed directly to the IBLA in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (Vernal Field Office, 170 South 500 East, Vernal, Utah 84078) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

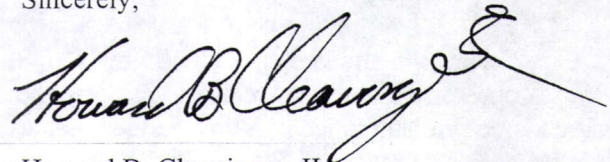
If you wish to file a petition pursuant to regulations 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay must also be submitted to each party named in the decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

Sincerely,



Howard B. Cleavinger, II
Assistant Field Manager
Mineral Resources

enclosure: Form 1842-1

cc: Darron Haddock, DOGM (S/047/061)